

File No. 221069

Committee Item No. 8

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee
Board of Supervisors Meeting

Date December 7, 2022
Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- CEQA Determination 11/28/2022
- Referral FYI 10/21/2022
- CEQA Referral 10/21/2022
- _____
- _____
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- _____
- _____
- _____

Completed by: Brent Jalipa Date December 1, 2022
Completed by: Brent Jalipa Date _____

1 [Apply for Grant - California Natural Resources Agency’s Urban Greening Program - Planting
2 Trees and Growing Green Jobs Project - South of Market Tree Nursery - \$456,250]

3 **Resolution authorizing the Department of Public Works to apply to the California**
4 **Natural Resources Agency’s Urban Greening Program for a grant in the amount of**
5 **\$456,250 to fund the Planting Trees and Growing Green Jobs project at the South of**
6 **Market Tree Nursery; and affirming the Planning Department’s determination under the**
7 **California Environmental Quality Act.**

8
9 WHEREAS, The Department of Public Works Bureau of Urban Forestry (“Public
10 Works”) desires to apply for \$456,250 from the California Natural Resources Agency’s Urban
11 Greening Program to hire and train residents from San Francisco’s low-income communities
12 to plant 200 street trees in disadvantaged communities with low tree canopies, in partnership
13 with a nonprofit organization (“Project”); and

14 WHEREAS, The Project will be centered around the future South of Market Street Tree
15 Nursery, funded and developed pursuant to a Cooperative Agreement with the California
16 Department of Transportation (“Caltrans”), on file with the Clerk of the Board of Supervisors in
17 File No. 220762 and approved by the Board of Supervisors pursuant to Resolution No. 354-
18 22; and

19 WHEREAS, The Project also leverages workforce development funds from the
20 California Department of Fire and Forestry Protection’s Urban and Community Forestry Grant
21 Program, on file with the Clerk of the Board of Supervisors in File No. 220855; and

22 WHEREAS, For purposes of formulating reasonable budgetary assumptions for the
23 Project, Public Works’ application included a placeholder reference to a nonprofit organization
24 that is representative; however, Public Works will select its nonprofit partner in a future
25 competitive solicitation; and

1 WHEREAS, The Planning Department has determined that the actions contemplated in
2 this Resolution comply with the California Environmental Quality Act (California Public
3 Resources Code Sections 21000 et seq.); said determination is on file with the Clerk of the
4 Board of Supervisors in File No. 221169 and is incorporated herein by reference; the Board
5 affirms this determination; and

6 WHEREAS, The Legislature and Governor of the State of California have provided
7 funds for the Urban Greening Program described above; and

8 WHEREAS, The California Natural Resources Agency has been delegated the
9 responsibility for the administration of this grant program, establishing necessary procedures;
10 and

11 WHEREAS, Said procedures established by the California Natural Resources Agency
12 require a resolution certifying the approval of an application by an applicant's governing board
13 before submission of said application to the State; and

14 WHEREAS, Public Works, if selected, will enter into an agreement with the State to
15 carry out the Project, contingent on compliance with local rules and procedures, including
16 Section 10.170-1 of the San Francisco Administrative Code; now, therefore, be it

17 RESOLVED, That the Board of Supervisors hereby approves the filing of an application
18 for the Project; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors certifies that Public Works
20 understands the assurances and certification in the application; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors certifies that Public Works will
22 have sufficient funds to operate and maintain the Project consistent with the land tenure
23 requirements or will secure the resources to do so; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors certifies that Public Works will
25 comply with the provisions of Section 1771.5 of the State Labor Code; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors certifies that the Project will
2 comply with any laws and regulations, as applicable, including but not limited to, legal
3 requirements for building codes, health and safety codes, disabled access laws, and
4 environmental laws, and that all applicable permits will be obtained prior to commencement of
5 the Project; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors certifies that Public Works will
7 work toward the Governor’s State Planning Priorities intended to promote equity, strengthen
8 the economy, protect the environment, and promote public health and safety as described in
9 Government Code, Section 65041.1; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors appoints the Director of Public
11 Works (“Director”), or the Director’s designee, as agent to conduct all negotiations and
12 execute and submit Project-related applications and other documents including, but not
13 limited to agreements, payment requests and so on, which may be necessary for the
14 completion of the aforementioned Project, as appropriate, contingent on compliance with local
15 rules and procedures, including Section 10.170-1 of the San Francisco Administrative Code.

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LEGISLATIVE DIGEST

[Public Works Code - Exemption of Banner Fees for Leather and LGBTQ Cultural District]

Ordinance amending the Public Works Code to exempt the Leather and Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Cultural District from banner permit fees and inspection fees for the placement of up to 200 banners on up to 200 City-owned poles within that Cultural District; and to codify the existing exemption of the SoMa Pilipinas – Filipino Cultural Heritage District from banner permit fees and inspection fees for the placement of up to 300 banners on up to 300 City-owned poles within that Cultural District; and affirming the Planning Department’s determination under the California Environmental Quality Act.

Existing Law

Public Works Code Section 184.78 specifies a process and conditions under which banners may be placed on City-owned utility poles.

In 2019, the Board of Supervisors approved Ordinance No. 214-19, which waived the banner fees under the Public Works Code for up to 300 banners placed on City-owned poles by SoMa Pilipinas, for an indefinite period beginning September 24, 2018.

Amendments to Current Law

This ordinance would amend Public Works Code Section 184.78 to include an express exemption of the Leather and Lesbian, Gay, Bisexual, Transgender, Queer Cultural District from banner permit fees and inspection fees for the placement of one banner on one City-owned utility pole within the Leather and Lesbian, Gay, Bisexual, Transgender, Queer Cultural District, on up to up to 200 City-owned poles.

Also, this ordinance would codify the existing exemption of the SoMa Pilipinas – Filipino Cultural Heritage District from banner permit fees and inspection fees for the placement of one banner on one City-owned utility pole within the SoMa Pilipinas – Filipino Cultural Heritage District, on up to 300 City-owned poles.

In addition, this ordinance would authorize both Cultural Districts (each an “Exempt Cultural District”) to modify the content or design of the banners installed under Public Works Code Section 184.78(q) and to remove and replace such banners without incurring banner permit fees and inspection fees for up to two times per year with respect to each applicable City-owned utility pole.

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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

October 21, 2022

File No. 221069

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Ms. Gibson:

On October 18, 2022, Supervisor Dorsey introduced the following Ordinance assigned to the Budget and Finance Committee:

File No. 221069

Ordinance amending the Public Works Code to exempt the Leather and Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Cultural District from banner permit fees and inspection fees for the placement of up to 200 banners on up to 200 City-owned poles within that Cultural District; and to codify the existing exemption of the SoMa Pilipinas - Filipino Cultural Heritage District from banner permit fees and inspection fees for the placement of up to 300 banners on up to 300 City-owned poles within that Cultural District; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Brent Jalipa

By: Brent Jalipa, Assistant Clerk
Budget and Finance Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

November 28, 2022

A handwritten signature in black ink, appearing to read "Joy Navarrete".

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MEMORANDUM

TO: Carla Short, Interim Director, Public Works

FROM: Brent Jalipa, Assistant Clerk, Budget and Finance Committee

DATE: October 24, 2022

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Budget and Finance Committee has received the following proposed legislation, introduced by Supervisor Matt Dorsey:

File No. 221069

Ordinance amending the Public Works Code to exempt the Leather and Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Cultural District from banner permit fees and inspection fees for the placement of up to 200 banners on up to 200 City-owned poles within that Cultural District; and to codify the existing exemption of the SoMa Pilipinas - Filipino Cultural Heritage District from banner permit fees and inspection fees for the placement of up to 300 banners on up to 300 City-owned poles within that Cultural District; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: David Steinberg, Public Works
Ian Schneider, Public Works
John Thomas, Public Works
Lena Liu, Public Works

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Angela Calvillo, Clerk of the Board

Brent Jalipa

By: Brent Jalipa, Assistant Clerk
Budget and Finance Committee

Attachment

c: Devyani Jain, Deputy Environmental Review Officer
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only